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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;
ORACLE AMERICA, INC., a Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
SETH RAVIN, an individual,

Defendants.

Case No 2:10-cv-00106-LRH-PAL

**PLAINTIFFS' MOTION TO SEAL
UNREDACTED COPY OF
PLAINTIFFS' MOTION TO MODIFY
PROTECTIVE ORDER AND
EXHIBITS A, D, AND E TO THE
DECLARATION OF CHAD RUSSELL**

Pursuant to the Stipulated Protective Order governing confidentiality of documents entered by the Court on May 21, 2010, Dkt. 55 (“Protective Order”), and Rules 5.2 and 26(c) of the Federal Rules of Civil Procedure, Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation (together “Oracle” or “Plaintiffs”) respectfully request that the Court order the Clerk of the Court to file under seal an unredacted copy of Plaintiffs’ Motion to Modify Protective Order (the “Motion to Modify”), as well as Exhibits A, D, and E to the Declaration of Chad Russell in Support of Plaintiffs’ Motion to Modify Protective Order (“Russell Declaration”). An unredacted copy of the Motion to Modify, as well as Exhibits A, D, and E were individually lodged under seal with the Court on March 12, 2012. *See* Dkt. 274-277.

Sealing the unredacted Motion to Modify is requested because the redacted portions of the motion contains information that CedarCrestone, Inc. (“CedarCrestone”), the party which produced the information, has designated as “Confidential Information” and “Highly Confidential Information - Attorneys’ Eyes Only” under the terms of the Protective Order. Likewise sealing of Exhibits A, D, and E is requested because these documents have been designated as “Confidential Information” and “Highly Confidential Information - Attorneys’ Eyes Only” by CedarCrestone. The Protective Order states, “Counsel for any Designating Party may designate any Discovery Material as ‘Confidential Information’ or ‘Highly Confidential Information – Attorneys’ Eyes Only’ under the terms of this Protective Order **only if such counsel in good faith believes that such Discovery Material contains such information and is subject to protection under Federal Rule of Civil Procedure 26(c)**. The designation by any Designating Party of any Discovery Material as ‘Confidential Information’ or ‘Highly Confidential Information – Attorneys’ Eyes Only’ shall constitute a representation that an attorney for the Designating Party reasonably believes there is a valid basis for such designation.” Protective Order ¶ 2 (emphasis supplied).

CedarCrestone has identified the information redacted in the Motion to Modify as well as Exhibits A, D, and E as Confidential and Highly Confidential, and therefore CedarCrestone has represented that good cause exists for sealing those portions of the documents. This is a sufficient showing of good cause to permit a sealing order on a non-dispositive motion. *See*,

1 *e.g., Pacific Gas and Elec. Co. v. Lynch*, 216 F. Supp. 2d 1016, 1027 (N.D. Cal. 2002).

2 Oracle has submitted all non-redacted portion so the Motion to Modify as well as all
3 other exhibits to the Russell Declaration for filing in the Court's public files, which would allow
4 public access to all but the redacted portions of the Motion to Modify and Exhibits A, D, and E.
5 Accordingly, the request to seal is narrowly tailored.

6 For the foregoing reasons, Oracle respectfully requests that the Court find that good cause
7 exists to file under seal the unredacted copy of the Motion to Modify and Exhibit A, D, and E to
8 the Russell Declaration.

9
10 DATED: May 14, 2012

BINGHAM McCUTCHEN LLP

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12
13 By: /s/ Geoffrey M. Howard
14 Geoffrey M. Howard
15 Attorneys for Plaintiffs
Oracle USA, Inc., Oracle America, Inc.,
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 DISTRICT OF NEVADA

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 corporation; and ORACLE INTERNATIONAL
 CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
 SETH RAVIN, an individual,

Defendants.

Case No 2:10-cv-00106-LRH-PAL

**[PROPOSED] ORDER GRANTING
 PLAINTIFFS' MOTION TO SEAL
 UNREDACTED COPY OF
 PLAINTIFFS' MOTION TO MODIFY
 PROTECTIVE ORDER AND
 EXHIBITS A, D, AND E TO THE
 DECLARATION OF CHAD RUSSELL**

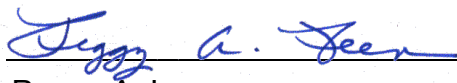
[PROPOSED] ORDER

Pending before this Court is Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation (together “Oracle” or “Plaintiffs”) Motion to Seal Unredacted Copy of Plaintiffs’ Motion to Modify Protective Order [Dkt. 274] and Exhibit A [Dkt. 275], Exhibit D [Dkt. 276], and Exhibit E [Dkt. 277] to the Declaration of Chad Russell. Federal Rule of Civil Procedure 26(c) provides broad discretion for a trial court to permit sealing of court documents for, inter alia, the protection of “a trade secret or other confidential research, development, or commercial information.” Fed. R. Civ. P. 26(c). Having considered Plaintiffs’ Motion to Seal, compelling reasons having been shown, and good cause existing:

IT IS HEREBY ORDERED THAT Plaintiffs’ Motion to Seal is GRANTED. The Clerk of the Court shall file under seal the unredacted copy of Plaintiffs’ Motion to Modify Protective Order and Exhibits A, D, and E to the Declaration of Chad Russell in Support of Plaintiffs’ Motion to Modify Protective Order.

IT IS SO ORDERED.

DATED: May 15, 2012

By: 
Peggy A. Leen
United States Magistrate Judge